

Applicants: William C. Olson and Paul J. Maddon  
Serial No.: 09/828,615  
Filed: April 6, 2001  
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**Supplemental Information Disclosure Statement**

Regarding the Supplemental Information Disclosure Statement ("IDS") and comments thereon filed by applicants together with their June 23, 2004 Amendment, the Examiner stated on page 2 of the Final Office Action that:

1. All of the foreign patents but only 3 U.S. patents and 2 PGPubs documents have been provided to the Office (citing Attachment A, "ePheonix" page, which lists U.S. Patent Nos. 6,107,019, 6,344,545, and 6,548,636, and U.S. Patent Publication Nos. 2003/0092632 and 2003/0228306.
2. Pages 21-23 of applicants' IDS are confusing and contradictory, citing, as examples, paragraphs marked C and D, of Attachment B (a marked-up copy of pages 21-23 of applicants' June 23, 2004 IDS). The Examiner asserted that the reference numbers, as filed, are incorrect, noting that paragraph G seems to contradict corrected paragraph C, and that paragraphs H, I, and J also seem to be incorrect. The Examiner also stated that clarification is required.
3. Only the references that have actually been provided to the Office have been considered. The Examiner stated that because of the confusing nature of the remarks concerning the references in the IDS, citations to references which were not provided have been lined through. The Examiner also stated that the lined-through references have been considered to the extent that they may be duplicates of the references provided.

In response, applicants note that they understand that the confusion concerning the reference citations referred to by the Examiner was resolved during a September 24, 2004 telephone conference between the Examiner and Ashton Delauney, Esq. of the undersigned's office. As was pointed out to the Examiner during

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this telephone conference, the reference numbers cited by applicants on pages 21-23 of the June 23, 2004 IDS (paragraphs A-J of the Examiner's Exhibit B) accurately correspond to the numbered list of references provided on pages 17-21 of the IDS. However, apparent inconsistencies arose because the Examiner had incorrectly interpreted these reference numbers as corresponding to the Exhibit numbers included on the PTO-1449 form in the IDS. Applicants note that the reference numbers do not correspond to the Exhibit numbers, and maintain that the reference citations in the June 23, 2004 IDS are correct.

In this regard, the Examiner issued a September 27, 2004 Interview Summary acknowledging that the confusion surrounding the numbering of references had been clarified during the September 27, 2004 telephone conference. The September 27, 2004 Interview Summary also states that many of the references submitted by applicants in the June 23, 2004 IDS were not scanned by the Patent Office and hence have not been considered by the Examiner. The Interview Summary further states that check marks were used, in lieu of the Examiner's initials in the initials column of the PTO-1449 form, to indicate the specific references which have been considered by the Examiner.

Applicants maintain that they submitted copies of 36 references (Exhibits 1-36) in their June 23, 2004 IDS. In support, applicants attach hereto as **Exhibit A** a copy of the postcard which accompanied the June 23, 2004 IDS and which was returned to applicants' representatives by the Patent Office. This postcard states that copies of references (Exhibits 1-36) were submitted to the Patent Office, and confirms receipt of these references by the Patent Office, as evidenced by the Office's stamp bearing the June 25, 2004 date.

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However, from the 36 copies of references submitted, copies of all 11 PCT International Applications submitted but only 3 U.S. patents and 2 U.S. published applications were made available to the Examiner due to problems internally within the Patent Office. Applicants attach hereto as **Exhibit B** a copy of the PTO-1449 form returned by the Examiner and containing check marks to indicate the references which had been made available to him.

Applicants also attach hereto as **Exhibit C** a copy of the PTO-1449 form originally filed in the June 23, 2004 IDS. For completion of the record, and notwithstanding the Examiner's statement in the September 27, 2004 Interview Summary that he has considered the checked references, applicants respectfully request that the Examiner initial and return a copy of the enclosed PTO-1449 (**Exhibit C**) in conformance with M.P.E.P. §609.

Applicants also submit herewith a Supplemental Information Disclosure Statement to disclose to the Examiner, *inter alia*, the references previously cited in the June 23, 2004 IDS but which were not made available to him. Accordingly, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit D**), and certain of which are attached hereto as **Exhibits 1-18**.

1. W.C. Olson and P.J. Maddon, U.S. Patent Application Publication No. 2002/0106374 A1, published August 8, 2002;
2. William C. Olson and Paul J. Maddon, U.S. Application Publication No. 2003/0044411 A1, published March 6, 2003;
3. Pending claims in G.P. Allaway et al., U.S. Application Publication No. 2002/0155429 A1, published October 24, 2002 (U.S. Serial No. 09/888,938, filed June 25, 2001) (**Exhibit 1**);

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4. Allowed claims in T. Dragic and W.C. Olson, U.S. Serial No. 10/323,314, filed December 19, 2002 (**Exhibit 2**);
5. G.P. Allaway et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned) (**Exhibit 3**);
6. G.P. Allaway et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;
7. G.P. Allaway et al., U.S. Serial No. 08/663,616, filed June 14, 1996 (now abandoned) (**Exhibit 4**);
8. G.P. Allaway et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;
9. G.P. Allaway et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned) (**Exhibit 5**);
10. G.P. Allaway et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned) (**Exhibit 6**);
11. G.P. Allaway et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;
12. G.P. Allaway et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned) (**Exhibit 7**);
13. G.P. Allaway et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned) (**Exhibit 8**);
14. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/724,105, filed November 28, 2000 (**Exhibit 9**);

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15. Pending claims in G.P. Allaway et al., U.S. Application Publication No. 2004/0086528 A1, published May 6, 2004 (U.S. Serial No. 09/852,238 filed May 9, 2001) (**Exhibit 10**);
16. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/212,793, filed December 16, 1998 (now abandoned);
17. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;
18. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/464,902, filed December 16, 1999 (**Exhibit 11**);
19. W.C. Olson and P.J. Maddon, U.S. Serial No. 09/594,983, filed June 15, 2000 (**Exhibit 12**);
20. W.C. Olson et al., U.S. Serial No. 09/663,219, filed September 15, 2000 (**Exhibit 13**);
21. W.C. Olson et al., U.S. Provisional Application No. 60/266,738, filed February 6, 2001 (**Exhibit 14**);
22. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/282,380, filed April 6, 2001 (**Exhibit 15**);
23. W.C. Olson and P.J. Maddon, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned) (**Exhibit 16**);
24. W.C. Olson and P.J. Maddon, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;
25. Pending claims in W.C. Olson and P.J. Maddon, U.S. Application Publication No. 2004/0228869 A1, published

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November 18, 2004 (U.S. Serial No. 10/763,545, filed January 23, 2004) (**Exhibit 17**); and

26. Pending claims in G.P. Allaway et al., U.S. Serial No. 09/460,216, filed December 13, 1999 (**Exhibit 18**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the Form PTO-1449 attached hereto as **Exhibit D**.

37 C.F.R. §1.98(a)(2)(ii), as amended in the September 21, 2004 Final Rule, states that copies of U.S. patents and published patent applications need not be submitted to the Patent Office in an Information Disclosure Statement unless required by the Office. Therefore, pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the above-cited U.S. patent application publications (references 1 and 2) are not attached hereto.

37 C.F.R. §1.98(a)(2)(iii) provides that an Information Disclosure Statement shall include, for each cited pending U.S. application, a legible copy of the application specification including the claims and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. Under 37 C.F.R. §1.98(c), when the disclosures of two or more patents or publications listed in an Information Disclosure Statement are substantively cumulative, a copy of one of the patents or publications may be submitted without copies of the other patents or publications, provided it is stated that these other patents or publications are cumulative. In accordance with 37 C.F.R. §1.98(c), copies of some of the references listed above are not submitted herewith as they are cumulative.

Specifically, U.S. Serial No. 09/888,938, filed June 25, 2001 and

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published October 24, 2002 as Application Publication No. 2002/0155429 A1, is a continuation of U.S. Serial No. 10/831,823, filed April 2, 1997, which issued as U.S. Patent No. 6,344,545 B1. A copy of U.S. Patent No. 6,344,545 B1 was submitted to the Patent Office as Exhibit 2 in the IDS filed June 23, 2004 in connection with the present application and has been considered by the Examiner. Therefore, a copy of U.S. Application Publication No. 2002/0155429 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in Application Publication No. 2002/0155429 is attached hereto as Exhibit 1.

U.S. Serial No. 10/323,314, filed December 19, 2002 is a continuation of U.S. Serial No. 09/796,202, filed February 28, 2001, which issued as U.S. Patent No. 6,548,636 B2. A copy of U.S. Patent No. 6,548,636 B2 was submitted to the Patent Office as Exhibit 3 in the IDS filed June 23, 2004 in connection with the present application and has been considered by the Examiner. Therefore, a copy of U.S. Serial No. 10/323,314 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims allowed in U.S. Serial No. 10/323,314 is attached hereto as Exhibit 2.

U.S. Serial No. 09/852,238, filed May 9, 2001 and published May 6, 2004 as Application Publication No. 2004/0086528 A1, is a continuation of 09/724,105, filed November 28, 2000, which is a continuation of U.S. Serial No. 08/874,618, filed June 13, 1997 (reference 13). Therefore, copies of U.S. Serial No. 09/724,105 and Application Publication No. 2004/0086528 are not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), copies of the claims pending in U.S. Serial No. 09/724,105 and Application Publication No. 2004/0086528 are attached hereto as Exhibits 9 and 10, respectively.

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U.S. Serial No. 10/763,545, filed January 23, 2004 and published November 18, 2004 as U.S. Application Publication No. 2004/0228869 A1, is a continuation U.S. Serial No. 09/594,983, filed June 15, 2000 (reference 19). Therefore, a copy of U.S. Application Publication No. 2004/0228869 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in Application Publication No. 2004/0228869 is attached hereto as Exhibit 17.

U.S. Serial No. 09/460,216, filed December 13, 1999, is a national stage application of PCT International Application Publication No. WO 98/56421, published December 17, 1998. A copy of WO 98/56421 was submitted to the Patent Office as Exhibit 30 in the IDS filed June 23, 2004 in connection with the present application and has been considered by the Examiner. Therefore, a copy of U.S. Serial No. 09/460,216 is not attached hereto. However, in accordance with 37 C.F.R. §1.98(a)(2)(iii), a copy of the claims pending in U.S. Serial No. 09/460,216 is attached hereto as Exhibit 18.

References 5 and 6 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 6 is not attached hereto.

References 7 and 8 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 8 is not attached hereto.

References 10 and 11 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 11 is not attached hereto.

References 16, 17 and 18 are cumulative to each other since each contains an identical disclosure except that reference 18



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contains an additional paragraph at the beginning of the application claiming the benefit of an earlier application, U.S. Provisional Application No. 60/112,532 (reference 17), and also provides the ATCC Accession Number for the PA10 antibody, which Accession Number is not provided in references 16 and 17. Therefore, copies of references 16 and 17 are not attached hereto.

References 23 and 24 are cumulative to each other since each contains an identical disclosure. Therefore, a copy of reference 24 is not attached hereto.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants also direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit E**), and certain of which are attached hereto as **Exhibits 19-21**.

27. U.S. Patent No. 5,994,515 A, issued November 30, 1999 to J.A. Hoxie;
28. U.S. Patent No. 6,759,519 B2, issued July 6, 2004 to Y. Li and S. M. Ruben;
29. PCT International Application Publication No. WO 97/45543 A2, published December 4, 1997 (**Exhibit 19**);
30. PCT International Application Publication No. WO 97/49424 A1, published December 31, 1997 (**Exhibit 20**); and
31. Pending claims in William C. Olson et al., U.S. Publication No. 2003/0044411 A1, published March 6, 2003 (**Exhibit 21**).

The Examiner is respectfully requested to make the above

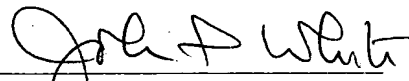
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references of record in the present application by initialing and returning a copy of the Form PTO-1449 attached hereto as **Exhibit E**.

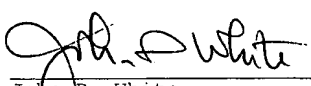
If a telephone conference would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Pursuant to 37 C.F.R. §1.97(c)(2) and 1.17(p), a fee of one hundred and eighty dollars (\$180.00) is required for filing the enclosed Supplemental Information Disclosure Statement. A fee of two hundred and twenty-five dollars (\$225.00) is also required for a two-month extension of time for responding to the September 17, 2004 Final Office Action. Accordingly, a check in the total amount of FOUR HUNDRED AND FIVE DOLLARS (\$405.00) is enclosed. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
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New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 2/14/05	Date
John P. White Reg. No. 28,678	

JPW/AJD

June 23, 2004

**Amendment In Response To February 23, 2004 Office Action, Supplemental Information Disclosure Statement And Petition For A One-Month Extension Of Time in connection with William C. Olson and Paul J. Maddon, METHODS FOR INHIBITING HIV-1 INFECTION, U.S. Serial No. 09/828,615, filed April 6, 2001, including PTO Form 1449 (Exhibit A), copies of references (Exhibits 1-36), an Amendment Transmittal Letter (in triplicate), a check for \$617.00, and a Certificate of Mailing dated June 23, 2004**

**Due Date: June 23, 2004**

William C. Olson and Paul J. Maddon

**Applicant**

Progenics (2048)

Progenics (2048)

64672

Any.

June 23, 2004

**Kindly acknowledge receipt of the accompanying**

Amendment In Response To February 23, 2004 Office Action, Supplemental Information Disclosure Statement And Petition For A One-Month Extension Of Time in connection with William C. Olson and Paul J. Maddon, METHODS FOR INHIBITING HIV-1 INFECTION, U.S. Serial No. 09/828,615, filed April 6, 2001, including PTO Form 1449 (Exhibit A), copies of references (Exhibits 1-36), an Amendment Transmittal Letter (in triplicate), a check for \$617.00, and a Certificate of Mailing dated June 23, 2004

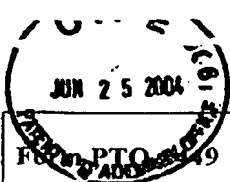
**Due Date: June 23, 2004**

June 23, 2004

RECEIVED

11-2-2004

Applicants: William C. Olson, et al.  
Serial No.: 09/828,615  
Filed: April 6, 2001  
**Exhibit A**



**U.S. Department of Commerce  
Patent and Trademark Office**

Atty. Docket No.  
64672/JPW/AJD

Serial No.  
09/828,615

Applicant(s)  
William C. Olson and Paul J. Maddon

Filing Date  
April 6, 2001

Group Art Unit  
1648

**INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

Examiner Initials	Exh. No.	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	✓ 1	6 1 0 7 0 1 9	08/22/00	Allaway et al.			
A	✓ 2	6 3 4 4 5 4 5	02/05/02	Allaway et al.			
B	✓ 3	6 5 4 8 6 3 6	04/15/03	Dragic et al.			
A	4	Pending claims in 09/888,938 <i>com of 2</i>		Allaway et al.			06/25/01
B	5	Allowed claims in 10/323,314 <i>com of 3</i>		Dragic et al.			12/19/02
F	6	08 6 2 7 6 8 4 <i>same</i>		Allaway et al.			04/02/96
		60 0 1 4 5 3 2		Allaway et al.			04/02/96
F	7	08 6 6 3 6 1 6 <i>not provided</i>		Allaway et al.			06/14/96
		60 0 1 9 7 1 5		Allaway et al.			06/14/96
G	8	08 6 7 3 6 8 2 <i>same</i>		Allaway et al.			06/25/96
G	9	08 6 6 5 0 9 0 <i>not provided</i>		Allaway et al.			06/14/96
		60 0 1 9 9 4 1		Allaway et al.			06/14/96
	10	08 8 7 4 5 7 0		Allaway et al.			06/13/97
C	11	08 8 7 4 6 1 8		Allaway et al.			06/13/97

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	✓ 26	9 6 4 1 0 2 0	12/19/96	PCT				
	✓ 27	9 7 2 6 0 0 9	07/24/97	PCT				
	✓ 28	9 7 3 7 0 0 5	10/27/97	PCT				
	✓ 29	9 7 4 7 3 1 9	12/18/97	PCT				
E	✓ 30	9 8 5 6 4 2 1	12/17/98	PCT				
	✓ 31	0 0 3 5 4 0 9	06/22/00	PCT				

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

EXAMINER

*Jeffrey Stucker*

DATE CONSIDERED

*9/10/04*

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicants: William C. Olson, et al.  
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Filed: April 6, 2001  
Exhibit B

Form PTO-148

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
64672/JPW/AJDSerial No.  
09/828,615Applicant(s)  
William C. Olson and Paul J. MaddonINFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)Filing Date  
April 6, 2001Group Art Unit  
1648

## U.S. PATENT DOCUMENTS

Examiner Initials	Exh. No.	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
C	12	Pending claims in 09/724,105 <i>con of 11</i>		Allaway et al.			11/28/00
C	13	Pending claims in 09/852,238 <i>con of 12</i>		Allaway et al.			05/09/01
		09 2 1 2 7 9 3		Olson et al.			12/16/98
		60 1 1 2 5 3 2		Olson et al.			12/16/98
	14	09 4 6 4 9 0 2		Olson et al.			12/16/99
D	15	09 5 9 4 9 8 3		Olson et al.			06/15/00
	16	09 6 6 3 2 1 9		Olson et al.			09/15/00
	17	60 2 6 6 7 3 8		Olson et al.			02/06/01
	18	60 2 8 2 3 8 0		Olson et al.			04/06/01
	19	2 0 0 2 / 0 1 0 6 3 7 4	08/08/02	Olson et al.			
	20	10 0 8 1 1 2 8		Olson et al.			02/22/02
		60 3 5 8 8 8 6		Olson et al.			02/22/02
	21	2 0 0 3 / 0 0 9 2 6 3 2	05/15/03	Dragic et al.			
	22	2 0 0 3 / 0 0 9 2 6 3 2	05/15/03	Dragic et al.			
	23	2 0 0 3 / 0 2 2 8 3 0 6	12/11/03	Olson et al.			
D	24	Pending claims in 10/763,545 <i>con of 15</i>		Olson et al.			01/23/04
E	25	Pending claims in 09/460,216 <i>371 of 30</i>		Allaway et al.			12/13/99

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
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✓	32	0 1 6 4 7 1 0	09/07/01	PCT				
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✓	35	02 0 8 3 1 7 2	10/24/02	PCT				
✓	36	03 0 7 2 7 6 6	09/04/03	PCT				

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form PTO-1449</b>  <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		<b>Atty. Docket No.</b> 64672/JPW/AJD		<b>Serial No.</b> 09/828,615	
		<b>Applicant(s)</b> William C. Olson and Paul J. Maddon			
		<b>Filing Date</b> April 6, 2001		<b>Group Art Unit</b> 1648	

U.S. PATENT DOCUMENTS													
Examiner Initials	Exh. No.	Document Number							Date	Name	Class	Subclass	Filing Date If Appropriate
	1	6	1	0	7	0	1	9	08/22/00	Allaway et al.			
	2	6	3	4	4	5	4	5	02/05/02	Allaway et al.			
	3	6	5	4	8	6	3	6	04/15/03	Dragic et al.			
	4	Pending claims in 09/888,938								Allaway et al.			06/25/01
	5	Allowed claims in 10/323,314								Dragic et al.			12/19/02
	6	08	6	2	7	6	8	4		Allaway et al.			04/02/96
		60	0	1	4	5	3	2		Allaway et al.			04/02/96
	7	08	6	6	3	6	1	6		Allaway et al.			06/14/96
		60	0	1	9	7	1	5		Allaway et al.			06/14/96
	8	08	6	7	3	6	8	2		Allaway et al.			06/25/96
	9	08	6	6	5	0	9	0		Allaway et al.			06/14/96
		60	0	1	9	9	4	1		Allaway et al.			06/14/96
	10	08	8	7	4	5	7	0		Allaway et al.			06/13/97
	11	08	8	7	4	6	1	8		Allaway et al.			06/13/97

FOREIGN PATENT DOCUMENTS														
		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No
	26	9	6	4	1	0	2	0	12/19/96	PCT				
	27	9	7	2	6	0	0	9	07/24/97	PCT				
	28	9	7	3	7	0	0	5	10/27/97	PCT				
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	30	9	8	5	6	4	2	1	12/17/98	PCT				
	31	0	0	3	5	4	0	9	06/22/00	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
-----------------	------------------------

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicants: William C. Olson, et al.  
 Serial No.: 09/828,615  
 Filed: April 6, 2001  
**Exhibit C**

<b>Form PTO-1449</b>  <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)		<b>Atty. Docket No.</b> 64672/JPW/AJD		<b>Serial No.</b> 09/828,615	
		<b>Applicant(s)</b> William C. Olson and Paul J. Maddon			
		<b>Filing Date</b> April 6, 2001		<b>Group Art Unit</b> 1648	

U.S. PATENT DOCUMENTS														
Examiner Initials	Exh. No.	Document Number								Date	Name	Class	Subclass	Filing Date If Appropriate
	12	Pending claims in 09/724,105									Allaway et al.			11/28/00
	13	Pending claims in 09/852,238									Allaway et al.			05/09/01
		09	2	1	2	7	9	3		Olson et al.			12/16/98	
		60	1	1	2	5	3	2		Olson et al.			12/16/98	
	14	09	4	6	4	9	0	2		Olson et al.			12/16/99	
	15	09	5	9	4	9	8	3		Olson et al.			06/15/00	
	16	09	6	6	3	2	1	9		Olson et al.			09/15/00	
	17	60	2	6	6	7	3	8		Olson et al.			02/06/01	
	18	60	2	8	2	3	8	0		Olson et al.			04/06/01	
	19	2 0 0 2 / 0 1 0 6 3 7 4								08/08/02	Olson et al.			
	20	10	0	8	1	1	2	8		Olson et al.			02/22/02	
		60	3	5	8	8	8	6		Olson et al.			02/22/02	
	21	2 0 0 3 / 0 0 9 2 6 3 2								05/15/03	Dragic et al.			
	22	2 0 0 3 / 0 0 9 2 6 3 2								05/15/03	Dragic et al.			
	23	2 0 0 3 / 0 2 2 8 3 0 6								12/11/03	Olson et al.			
	24	Pending claims in 10/763,545									Olson et al.			01/23/04
	25	Pending claims in 09/460,216									Allaway et al.			12/13/99

FOREIGN PATENT DOCUMENTS															
		Document Number								Date	Country	Class	Subclass	Translation	
		Yes	No												
	32	0	1	6	4	7	1	0	09/07/01	PCT					
	33	0	2	2	2	0	7	7	03/21/02	PCT					
	34	02	0	6	8	6	0	8	09/06/02	PCT					
	35	02	0	8	3	1	7	2	10/24/02	PCT					
	36	03	0	7	2	7	6	6	09/04/03	PCT					

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

<b>Form PTO-1449</b>  <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>(Use several sheets if necessary)</b>	<b>Application Number</b>	09/828,615
	<b>Filing Date</b>	April 6, 2001
	<b>First Named Inventor</b>	William C. Olson et al.
	<b>Art Unit</b>	1648
	<b>Examiner Name</b>	Jeffrey Stucker
	<b>Attorney Docket No.</b>	2048/64672/JPW/AJD

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	1	2002/0106374 A1	08-08-2002	W. C. Olson and P. J. Maddon
	2	2003/0044411 A1	03-06-2003	W. C. Olson and P. J. Maddon

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	Pending claims in G.P. ALLAWAY et al., U.S. Application Publication No. 2002/0155429 A1, published October 24, 2002 (U.S. Serial No. 09/888,938, filed June 25, 2001);	
	4	Allowed claims in T. DRAGIC and W.C. OLSON, U.S. Serial No. 10/323,314, filed December 19, 2002;	
	5	G.P. ALLAWAY et al., U.S. Serial No. 08/627,684, filed April 2, 1996 (now abandoned);	
	6	G.P. ALLAWAY et al., U.S. Provisional Application No. 60/014,532, filed April 2, 1996;	
	7	G.P. ALLAWAY et al., U.S. Serial No. 08/663,616, filed June 14, 1996 (now abandoned);	
	8	G.P. ALLAWAY et al., U.S. Provisional Application No. 60/019,715, filed June 14, 1996;	
	9	G.P. ALLAWAY et al., U.S. Serial No. 08/673,682, filed June 25, 1996 (now abandoned);	

<b>EXAMINER SIGNATURE</b>	<b>DATE CONSIDERED</b>
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Applicants: William C. Olson, et al.  
Serial No.: 09/828,615  
Filed: April 6, 2001  
Exhibit D



<b>Form PTO-1449</b>		<b>U.S. Department of Commerce Patent and Trademark Office</b>		<b>Application Number</b>	09/828,615
				<b>Filing Date</b>	April 6, 2001
				<b>First Named Inventor</b>	William C. Olson et al.
				<b>Art Unit</b>	1648
				<b>Examiner Name</b>	Jeffrey Stucker
				<b>Attorney Docket No.</b>	2048/64672/JPW/AJD
<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)					
<b>NON PATENT LITERATURE DOCUMENTS</b>					
<b>Examiner Initials*</b>	<b>Cite No.<sup>1</sup></b>	<b>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.</b>			<b>T<sup>2</sup></b>
	10	G.P. ALLAWAY et al., U.S. Serial No. 08/665,090, filed June 14, 1996 (now abandoned);			
	11	G.P. ALLAWAY et al., U.S. Provisional Application No. 60/019,941, filed June 14, 1996;			
	12	G.P. ALLAWAY et al., U.S. Serial No. 08/874,570, filed June 13, 1997 (now abandoned);			
	13	G.P. ALLAWAY et al., U.S. Serial No. 08/874,618, filed June 13, 1997 (now abandoned);			
	14	Pending claims in G.P. ALLAWAY et al., U.S. Serial No. 09/724,105, filed November 28, 2000;			
	15	Pending claims in G.P. ALLAWAY et al., U.S. Application Publication No. 2004/0086528 A1, published May 6, 2004 (U.S. Serial No. 09/852,238 filed May 9, 2001);			
	16	W.C. OLSON and P.J. MADDON, U.S. Serial No. 09/212,793, filed December 16, 1998 (now abandoned);			
	17	W.C. OLSON and P.J. MADDON, U.S. Provisional Application No. 60/112,532, filed December 16, 1998;			
	18	W.C. OLSON and P.J. MADDON, U.S. Serial No. 09/464,902, filed December 16, 1999;			
	19	W.C. OLSON and P.J. MADDON, U.S. Serial No. 09/594,983, filed June 15, 2000;			
	20	W.C. OLSON et al., U.S. Serial No. 09/663,219, filed September 15, 2000;			
	21	W.C. OLSON et al., U.S. Provisional Application No. 60/266,738, filed February 6, 2001;			
	22	W.C. OLSON and P.J. MADDON, U.S. Provisional Application No. 60/282,380, filed April 6, 2001;			
	23	W.C. OLSON and P.J. MADDON, U.S. Serial No. 10/081,128, filed February 22, 2002 (now abandoned);			
	24	W.C. OLSON and P.J. MADDON, U.S. Provisional Application No. 60/358,886, filed February 22, 2002;			
<b>EXAMINER SIGNATURE</b>			<b>DATE CONSIDERED</b>		
<p><small>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional).  <sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.</small></p>					

<b>Form PTO-1449</b>  <b>U.S. Department of Commerce</b> <b>Patent and Trademark Office</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;"><b>Application Number</b></td> <td>09/828,615</td> </tr> <tr> <td><b>Filing Date</b></td> <td>April 6, 2001</td> </tr> <tr> <td><b>First Named Inventor</b></td> <td>William C. Olson et al.</td> </tr> <tr> <td><b>Art Unit</b></td> <td>1648</td> </tr> <tr> <td><b>Examiner Name</b></td> <td>Jeffrey Stucker</td> </tr> <tr> <td><b>Attorney Docket No.</b></td> <td>2048/64672/JPW/AJD</td> </tr> </table>		<b>Application Number</b>	09/828,615	<b>Filing Date</b>	April 6, 2001	<b>First Named Inventor</b>	William C. Olson et al.	<b>Art Unit</b>	1648	<b>Examiner Name</b>	Jeffrey Stucker	<b>Attorney Docket No.</b>	2048/64672/JPW/AJD
<b>Application Number</b>	09/828,615														
<b>Filing Date</b>	April 6, 2001														
<b>First Named Inventor</b>	William C. Olson et al.														
<b>Art Unit</b>	1648														
<b>Examiner Name</b>	Jeffrey Stucker														
<b>Attorney Docket No.</b>	2048/64672/JPW/AJD														
<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)															
<b>NON PATENT LITERATURE DOCUMENTS</b>															
<b>Examiner Initials<sup>4</sup></b>	<b>Cite No.<sup>1</sup></b>	<b>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.</b>	<b>T<sup>2</sup></b>												
	25	Pending claims in W.C. OLSON and P.J. MADDON, U.S. Application Publication No. 2004/0228869 A1, published November 18, 2004 (U.S. Serial No. 10/763,545, filed January 23, 2004); and													
	26	Pending claims in G.P. ALLAWAY et al., U.S. Serial No. 09/460,216, filed December 13, 1999.													
<b>EXAMINER SIGNATURE</b>		<b>DATE CONSIDERED</b>													
<p>*<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional).</p> <p><sup>2</sup>Applicant is to place a checkmark here if English language Translation is attached.</p>															

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	<b>Filing Date</b>	April 6, 2001
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	<b>Art Unit</b>	1648
	<b>Examiner Name</b>	Jeffrey Stucker
	<b>Attorney Docket No.</b>	2048/64672/JPW/AJD

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	27	5,994,515 A	11-30-1999	J.A. Hoxie
	28	6,759,519 B2	07-06-2004	Y. Li and S. M. Ruben

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T <sup>6</sup>
	29	WO 97/45543 A2	12-04-1997	C. Combadiere et al.	
	30	WO 97/49424 A1	12-31-1997	J.A. Hoxie	

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	31	Pending claims in WILLIAM C. OLSON ET AL., U.S. Publication No. 2003/0044411 A1, published March 6, 2003.	

<b>EXAMINER SIGNATURE</b>	<b>DATE CONSIDERED</b>
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 Exhibit E